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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 TYSON MARSHEK,
10 Plaintiff,

11 v.

12 T-Mobile USA, Inc.
13 Defendant.

CASE NO. 3:11-cv-05476-RJB-JRC

ORDER GRANTING IN FORMA
PAUPERIS STATUS AND
DIRECTING THE FEDERAL
PRISON SYSTEM TO DEDUCT
PAYMENT

14 The Court, having reviewed plaintiff's application to proceed in forma pauperis,
15 does hereby find and ORDER.

16 (1) Plaintiff's declaration indicates he is unable to afford the court's filing fee
17 or give security therefore. Accordingly, plaintiff's application to proceed as a pauper is
18 **GRANTED. As set forth below, an initial partial filing fee will be collected, and**
19 **plaintiff is required to make monthly payments of 20 percent of the preceding**
20 **month's income credited to his/her account until the full amount of the filing fee is**
21 **satisfied.**

22 (2) Pursuant to 28 U.S.C. § 1915 and plaintiff's approved application to
23 proceed in forma pauperis, the agency having custody of the above named plaintiff is
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1 directed to calculate an initial partial filing fee equal to 20 percent of greater of -- the
2 average monthly deposits to the prisoner's account or the average monthly balance in the
3 prisoner's account for the 6-month period immediately preceding the date of this Order.

4 The initial partial filing fee should be forwarded to the court clerk as soon as practicable.

5 Subsequently, if the prisoner's account exceeds \$10.00, each month the agency is
6 directed to collect and forward payments equal to 20 percent of the prisoner's preceding
7 month's income credited to the prisoner's account. In the event that the monthly
8 payment would reduce the prisoner's account below \$10.00, the agency should collect
9 and forward only that amount which would reduce the prisoner's account to the \$10.00
10 level. Please note that this \$10.00 limit does not apply to the initial partial filing fee
11 described above. Finally, the monthly payments should be collected and forwarded to the
12 court until the entire filing fee (\$350.00) for this matter has been paid.

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14 (3) The Clerk is directed to send plaintiff a copy of this Order and the General
15 Order, and a copy of this Order along with a copy of plaintiff's Acknowledgment and
16 Authorization portion of the IFP application to the Prison Litigation Reform Act
17 ("PLRA") contact person, the inmate account manager at Federal Prison where plaintiff
18 is incarcerated.

19 DATED this 18th day of July, 2011.

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22 J. Richard Creatura
23 United States Magistrate Judge
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